

To: Donha Green, ARB

cc: Czerniak  
McDowell

3/23/86

From: Dave Schulz, ICPB

Subject: Illinois Opacity Regulation

I have the following comments w.r.t. the Illinois Opacity Regulation:

1) Section 212.124(e), as currently written, almost totally eliminates the enforceability of the opacity regulation, destroying the entire intent behind the reason for having an opacity limitation (to assess on a continuing, or random basis whether there may be occurring violation of the particulate standard).

The language associated with allowing a rebuttal stack test, "within a reasonable time, under similar operating conditions," is so vague as to put a high degree of burden on the regulatory Agency to discount the stack test. Thus, all a source needs to do to rebut opacity violations caused, for example, by an intermittent problem<sup>with</sup> control equipment reliability, is to conduct a stack test under similar operating conditions, after having rectified the control equipment reliability problems. If the regulatory Agency could document the precise reliability problems, and if they were substantial enough, it could argue that the testing was not done under similar conditions. However, this puts an extreme burden on the regulatory Agency to do, and the language is so vague that unless the operating situation during stack testing could be proven to be entirely different, the Agency would have a difficult time rejecting the rebuttal stack test.

I recommend strongly that U.S. EPA convey comments to the ICPB clearly indicating the

unacceptability of such language, and suggest that the provision be deleted in its entirety.

2) Under the Adjusted Opacity Standard Procedure in Section 212.126, I recommend that we not approve the procedure allowing for setting of the adjusted standard equal to the second highest 6 minute average opacity. This allows the source to intentionally emit <sup>at</sup> high opacity levels (e.g. during 12 minutes of continuous soot blowing) for a short duration of the test to ~~extend~~ obtain a high adjusted opacity limit, when in fact the particulate compliance determination is based on at least a 3 hour average. Thus, to assure that the adjusted opacity limit has some reasonable certainty of protecting the mass standard, it should be set at the average opacity during the test, or possibly the <sup>highest opacity</sup> average ~~of the~~ from a complying test run.

Please see me with any questions concerning these comments.

Thanks,

Dave  
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